

REMARKS

AMENDMENT TO THE DRAWINGS

The drawings were objected to under 37 C.F.R. § 1.83(a). Figures 1 and 2 have been amended. Figure 1 has been amended to show the bar 32 extending through the base 16. No new matter has been added, as this was discussed in the current application on page 4 beginning at line 12 as "alternatively, base 16 may extend around the bar 32 for sliding movement there along".

Figure 2 has been modified to show the sliding action of the apparatus. Again, no new matter has been added, as this was described on page 4 beginning at line 9 as "the base 16 may be slidably mounted to the bar 32 so that the device 10 can be moved along the length of the bed 14. For example, the bar 32 may include a slot in the lower surface, and the base 16 may include a tab, hook or other member for slidably receipt in the slot." Therefore, no new matter has been added. Additionally, the specification on page 4 starting at line 11 has been amended to add reference numbers as shown in the drawings. The specification on page 4 starting at line 10 has been amended to read "For example, the bar 32 may include a slot 60 in the lower surface, and the base 16 may include a tab 62, hook or other member for slidably receipt in the slot." Thus, the numbers 60 and 62 respectively have been added to the specification for clarification sake of the drawings, per the Examiner's requirement for the drawings, and no new matter has been added.

AMENDMENT TO THE SPECIFICATION

The Detailed Description of the Preferred Embodiment section of the current application has been amended to correct typographical errors. Beginning on page 3 starting at line 31, the word "figures" has been changed to the word "fingers". Number 28 was previously described in

the original application on page 4 line 1 as "fingers" and line 2 as "fingers". Therefore, no new matter has been added by this change.

Page 4, line 3 the number 28 has been changed to the number 32. The number 32 has been designated as the bar. The bar has been designated the 32 as shown on page 4 beginning on line 7 which reads "the base 16 is connected to a bar or frame 32 extending between the opposite ends 34, 36 of the bed 14." Therefore, no new matter has been added for this change.

EXAMINER'S REJECTIONS UNDER 35 U.S.C. § 102 and § 103

Claims 1, 3-7, 9-14, 16, and 18-20 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 2,711,872 to Lampke.

Claims 8 and 17 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Lampke in view of U.S. Patent 6,817,046 B1 to Srour.

Claims 2 and 15 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Lampke in view of U.S. Patent 5,645,335 to Brunner.

Claim 1 has been amended to claim among other things "a clamp to hold the medical element, wherein the clamp has opposing surfaces that close to hold the medical element and open to release the medical element." The closed and open position of the clamp is discussed in the Specification at page 3, line 30-page 4, line 2. Conversely, the clamp 70 and 74 of Lampke are spring fingers which open or spread to hold the bottle 78 and close together when the bottle is removed. In other words, the fingers 74 do not "open to release" the medical member, nor "close to hold" the medical element, as required by claim 1. As a result, the Lampke reference does not teach or suggest the claimed invention. Therefore, claim 1 distinguishes over Lampke so as to be allowable.

Claims 2-10 depend from claim 1 and are patentable for the reasons set forth as to that claim.

Claim 11, as amended, claims among other things "an articulated clamp for holding the tool." The articulated clamp is formed by the hinged fingers 28. As discussed above, the Lampke reference only teaches a collar 70 with springs 74. In other words, the clamp of the Lampke reference is not an articulated clamp for holding the tool. Therefore, claim 11 is not satisfied by the Lampke reference. As a result, claim 11, as amended, is allowable.

Claims 12-20 depend from claim 11 and are allowable for the reasons set forth as to that claim.

If prosecution of the present application can be facilitated by a telephone interview, Applicant invites the Examiner to telephone Applicant's attorney at the below-identified number.

No fees or extensions of time are believed to be due in connection with this amendment; however, consider this a request for any extension inadvertently omitted, and charge any additional fees to Deposit Account No. 26-0084.

Reconsideration and allowance is respectfully requested.

Respectfully submitted,


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